APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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SNELL & WILMER
ONE ARIZONA CENTER
400 EAST VAN BUREN
PHOENIX, AZ 850040001

EXAMINER
OSBORNE, LUKE R

ART UNIT	PAPER NUMBER
2123	

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/603,408	MIKA, LAWRENCE J.
	Examiner	Art Unit	
	Luke Osborne	2123	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _24 January 2006_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-11_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-11_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Status

1. Claims 1-10 have been presented for reconsideration. Claim 11 has been added. Claims 1-11 are now pending in the instant application. Claims 1-11 stand rejected.

2. Applicants' arguments submitted 07/19/2005 have been fully considered, Examiners response is as follows.

Claim Rejections - 35 USC § 112

3. Claims 1-11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 1 recites the limitation of "using only a single translation" in line 9. Applicants' specification does not contain any description of how this is performed. Since there is no description or definition of the terms used in the limitation "using only a single translation" this limitation is not enabled. Applicant is encouraged to specifically point out where in the specification where enabling support for this limitation resides.

Applicant's Argument

Because the specification does not disclose more than one translation, the limitation of "using only a single translation" is an inherent disclosure. There is no disclosure of a secondary translation process.

Examiner's Response

Examiner is aware that the subject matter of the claim need not be described

literally (i.e., using the same terms or in haec verba) in order for the disclosure to satisfy

the description requirement. Furthermore Examiner does not contest that Applicant

describes a translation process. Applicant's are relying on there being no disclosure of a

secondary translation process present in the specification to provide support for "using

only a single translation" to distinguish from the art applied. Examiner finds this

unpersuasive. Applicant's point to the specification where "[a]ll or a portion of the fields

of the record are then fully or partially translated, following all or a portion of the

directions in the interface File Definition (step 506)." Applicant's appear to define "using

only a single translation" by that citation from the speciation.   If this did provide

enablement for "using only a single translation" the following portion of Coleman

discloses such a limitation

> Therefore, in step 201, if the user desires to use one or more intermediate data environments in
> the data conversion process, the user enters information regarding the respective intermediate
> environments and units and parts for each of the respective intermediate environments. These
> definitions are received by the system in step 201. **It is noted that the creation of intermediate
> environments is optional depending upon the user's application.** Column 10, lines 25-32
> emphasis added

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

4.   Claims 1-6, 8-11 are rejected under 35 U.S.C. 102(b) as being anticipated by

Coleman of record.

Regarding claim 1, Colman discloses a computer-implemented method for

facilitating the translation of files between formats. See figures 2B and 3 and the

corresponding portions of Colman's specification for this teaching. In particular, Colman

discloses "A method for facilitating the translation of files comprising:

- establishing, via a host computer, definitions comprising at least one of

sorting criteria, filter criteria, data range, file format, [the present invention can

also be used to perform conversions of the file formats] accounting codes, and

formatting criteria [adjusting the formatting] [Column 6, lines 9-24];

- creating, via said host computer, an interface file including said definitions

[Figure 3, item 202];

- reading, via said host computer, data from a first source [Figure 3, item

212];

- reading, via said host computer, said definitions contained in said interface

file [Figure 3, item 202];

- translating, via said host computer, using only a single translation of said

data from said first source according to said definitions contained in said

interface file [Figure 3, item 216] and

- saving, onto host computer, said interface file [Figure 1]" as claimed.

Applicant's Argument

Coleman does not disclose or suggest at least "translating, via said host computer, using only a single translation of said data from said first source according to said definitions contained in said interface file".

Examiners Response

The crux of Applicant's arguments rely on the resolution of the §112 rejection above. Until the phrase "using only a single translation" has been distinguished from the Examiners broad reasonable interpretation Applicant's supposed distinctions are unpersuasive.

Regarding claim 2, Colman discloses the method of claim 1 "wherein said establishing step comprises:

    – receiving[1] information regarding a type of said interface file to be created;

    – receiving data regarding a desired file format; and

    – receiving formatting data regarding a format of said data being translated

[In order to begin the data conversion process, a user is first required to input information regarding the input data in input data format and the desired output data format for the converted data. (Column 8, lines 21-24)]" as claimed.

Regarding claim 3, Colman discloses the method of claim 2 "wherein said receiving formatting data step comprises: entering said formatting data for each field of

said data being translated [Thus, here the user specifies the data format of the input

environment including all of the tables or units and all of the parts or fields of the

respective records in each of the respective tables. (Column 8, lines 50-53)]" as

claimed.

Regarding claim 4, Colman discloses the method of claim 3, "wherein said

formatting data comprises:

- a field name;

- a description;

- a length of the field;

- an indicator of fixed-width/variable width status;

- a mask to force data into a particular style;

- justification information;

- position information; and

- element information [Thus, here the user specifies the data format of the

input environment including all of the tables or units and all of the parts or fields

of the respective records in each of the respective tables. (Column 8, lines 50-

53)] [The present invention also includes a data mapping object for records which

utilize this field definition referred to herein as parts. Parts define the actual

interworkings of a record, i.e., the type, the size, and the format of a respective

record. In the example described above, the parts of the above employee data

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[1] Examiner notes the amendment to claim 2 changing entering (which requires the user as disclosed) to

record would be the name field, the social security number field, the salary field,

the date of birth field, etc. (Column 8, lines 5-11)]" as claimed.

Regarding claim 5, Colman discloses the method of claim 4 "wherein said

element information comprises:

    — information regarding a type of said data in said field, wherein said

information comprises at least one of:

    — a calculated expression;

    — a static table entry;

    — alphanumeric information; and

    — a query [Thus, here the user specifies the data format of the input

environment including all of the tables or units and all of the parts or fields of the

respective records in each of the respective tables. (Column 8, lines 50-53)] [The

present invention also includes a data mapping object for records which utilize

this field definition referred to herein as parts. Parts define the actual

interworkings of a record, i.e., the type, the size, and the format of a respective

record. In the example described above, the parts of the above employee data

record would be the name field, the social security number field, the salary field,

the date of birth field, etc. (Column 8, lines 5-11)].

Regarding claim 6, Colman discloses the method of claim 2 "further comprising:

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receiving, receiving has been interpreted as –receiving user—as is consistent with the specification.

  − selecting a template file as a starting point for creating the interface file

[Figure 3, item 200 - 202];

  − entering data regarding a sorting preference [Figure 3, item 204 - 208];

and

  − entering data regarding a filtering preference." as claimed. [Figure 3, item

204 - 208]

Regarding claim 8, Colman discloses the method of claim 1 "wherein said

translating step further comprises:

creating a second source of a predetermined type;

writing said data to said second source; and,

saving said second source [In step 218 the converted output data is stored in a

destination medium. It is noted that this destination medium may be the same medium

on which the input data was stored or may be a new medium (second source) (Column

15, lines 15-18)]" as claimed

Regarding claim 9, Colman discloses the method of claim 1 "wherein said step of

establishing definitions further comprises establishing definitions having a property

relating to a data field [the present invention can also be used to perform conversions of

the file formats ... adjusting the formatting (Column 6, lines 9-24)]" as claimed.

Regarding claim 10, Colman discloses the method of claim 9 "wherein said

property includes at least on of

– field name, description, status, length flag, length, minimum length,

maximum length, format mask, justification, pad character, quote, delimiter flag,

start position, end position, counter interment flag, element, query field, static

table entry, counter, fixed test, expression, character function and common

expression [the present invention uses field definition data objects referred to as

parts which define the inner workings of a record, i.e., the type, the size, and the

format, etc. of each field in a record (Column 2, line 57- Column 3, line 5)]" as

claimed.

Regarding claim 11, Colman discloses the method of claim 1 "wherein said step

of creating, via said host computer, an interface file includes creating only one interface

file [Figure 3, item 202]" as claimed .

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Coleman

in view of Free On-Line Dictionary of Computing definition of the term "wizard"

<http://foldoc.doc.ia.ac.uk/foldoc/foldoc.cgi?wizard> printed 6/1/05, created (1998-09-

07) hereafter "FOLDOC".

Regarding claim 7, Coleman discloses the method of claim 1 wherein said step

of establishing definitions comprises establishing definitions based upon a user via a

user interface.

Coleman, does not expressly teach that the [step of establishing definition

comprises establishing definition based upon **a response to a question presented to

a user** via a user interface (emphasis added)].

FOLDOC teaches the use of a "wizard" or [FOLDOC: an interactive help utility

that guides the user through a potentially complex task ... (4th definition)]

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to use the "wizard" functionality as disclosed by FOLDOC with the system

as described by Coleman.

The motivation for doing so would have been to allow an average user (one with

out particular knowledge of the complexities of a system as required by Coleman Figure

3, items 204-208) to perform expertly as disclosed by FOLDOC [4th definition, lines 3-5].

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Luke Osborne whose telephone number is (571) 272-

4027. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Paul L. Rodriguez can be reached on (571) 272-3753. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

LRO

Paul L. Rodriguez,   4/3/06
Primary Examiner
Art Unit 2123